(3)

IN THE HON'BLE HIGH COURT OF JUDICATURE
CHHATTISGARH AT BILASPUR (C.G.)

W.P. No. 497 of 2003

Before Hon'ble Division Bench

Kedia Castle Dellon Industries Limited,
42-A, Shakeshphere Sarani, 6-B,
Express Tower, Calcutta 700 071,
Having its Unit at Village Khapri,
Post Kumhari, District Durg, Chhattisgarh
Through Shri P.C. Chourey,
President (Legal Cell),
Resident of 15/2, South Tukoganj,
District Indore M.P.

.... **Petitioner**

VERSUS

1. Union of India,
Through the Secretary,
Ministry of Finance,
Government of India,
Udyog Bhawan, New Delhi.

2. State Bank of India,
Industrial Finance Bank,
Sector - 1, Bhilai,
Distt. Durg (Chhattisgarh).

3. The Vysya Bank
G-35, Connought Circus,
New Delhi - 1.

4. Indusind Bank Limited
201, Gen. Thimmayya Road,
(Contautment), Pune.

5. Bank of India
Bombay Lease Finance Branch,
Nandu Mansion,
417, S.V.P. Road, Mumbai.

6. Canara Bank
Leasing Division, Credit Wings,
H.Q. Annex Citi Centre,
2nd Floor, N.R. Junction, Banglore.

7. Indbank Merchant Banking Services Ltd.
17th Floor, Maker Tower 'F'
Cuffe Parade, Mumbai.

8. Oriental Bank of Commerce
'E' Block, Connought Place,
New Delhi - 1.

9. I.D.B.I.
5th Floor, I.D.B.I. tower,
W.T.C. Complex,
Cuffe Parade, Mumbai - 5.

10. Bank of Madura Limited
Navasari Building,
240, D.N. Road, Mumbai - 400 001.

11. The State of Chhattisgarh,
Through Secretary,
Department of Finance,
Government of Chhattisgarh,
D.K. Bhawan, Raipur (Chhattisgarh).

.... **Respondents**

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W P 497 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ** **& HON'BLE SHRI FAKHRUDDIN, J.** **29/06/2004: -** Shri Abhishek Sinha counsel for the petitioner. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1. Shri R.S. Jaiswal counsel for the respondent No.2. Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. *Sd/-* Chief Justice Sd/- Fakhruddin Judge	

[पीछे देखिये